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EXAMINER

CAPUTO, LISA M

ART UNIT PAPER NUMBER

2876

DATE MAILED: 08/14/2002

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/666,482

Applicant(s)

SIMPSON-YOUNG ET AL.

Examiner

Lisa M Caputo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2001 and 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-94 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-94 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Preliminary Amendment

1. Receipt is acknowledged of the preliminary amendment filed 15 May 2001 and of the preliminary amendment filed 14 January 2002.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Oath/Declaration

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: only the law firm and corresponding customer number is listed in the power of attorney. The attorneys of record should be listed along with their registration numbers so that the proper attorney of record is contacted.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference number 38 on Figure 3, reference numbers 53, 54 on Figure 4 and reference number 34 on Figure 9. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to because: Regarding Figure 16, the printer should be reference number 315, not reference number 115 and the camera should be reference number 317, not reference number 117; Regarding Figure 18: Please show where the arrow for 410 points to more clearly. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. The abstract of the disclosure is objected to because:

Regarding line 14: "prupose" should read --purpose--. Correction is required.

See MPEP § 608.01(b).

7. The use of the trademarks Inzomnia, Cyberaction (page 5 line 16), PowerDeck, UpperDeck (page 6, lines 19-20), QANTAS (page 21, line 3), IBM and Sun Sparcstations (page 25, line 14) have been noted in this application. They should be capitalized wherever they appear and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

8. The disclosure is objected to because of the following informalities:

Regarding page 9, line 20: Replace "overly" with --overlay--.

Regarding page 10, line 13: Replace "each the smart card" with --each of the smart cards--.

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Regarding page 14, lines 16-17: Replace "communications link 16" with --communications link 116--.

Regarding page 18, line 25: Replace "communications link 16" with --communications link 116--.

Regarding page 19, line 15: Replace "card reader 10, 13" with --card reader 10, 12--.

Regarding page 24, line 21: Replace "camera 117" with --camera 117--.

Regarding page 26, line 20: Replace "hinges 410" with --hinges 412--.

Regarding page 27, line 1: Replace "fro" with --for--.

Regarding page 27, line 6: Replace "appreciate" with --appreciated--.

Regarding page 32, line 25: Replace "It be appreciated" with --It can be appreciated--.

Regarding page 35, line 9: Replace "icons510" with --icons 510--.

Appropriate correction is required.

Claim Objections

9. Claim 32 is objected to because of the following informalities:

Regarding claim 32, line 6: Replace "overly" with --overlay--.

Regarding claim 37, line 2: Clarify what is meant by "different ones".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 36-40 and 62 rejected under 35 U.S.C. 102(b) as being anticipated by Taylor (U.S. Patent No. 5,530,232).

Taylor teaches a multi-application data card system having all of the elements as recited in claims 25-36. Taylor discloses that FIG. 1 shows a multi-application data card 10 conveniently formed of plastic and containing solid-state circuitry represented schematically at 12 and the name of the authorized card holder. The card 10 is a smart card, and the solid-state circuitry 12 includes a microprocessor and memory chips embedded within the card. The memory chips hold the equivalent of several typewritten pages of information. An example of some of the data recorded on the card is shown in FIG. 1. Thus a number of applications, including American Express, Visa, Master Charge, Discovery, various oil companies, various hotels, and various airlines, may be recorded together with a PIN (personal identification number), the account number, expiration date, account (or access or vendor) code, and various records for each of the separate accounts, plus miscellaneous data. The account, access or vendor code is a special code of each vendor which lets that vendor alone change data on the vendor's portion of the card. The records column includes, for example, frequency data, bonus point tie-ins with multiple vendors, etc. The miscellaneous column is for whatever additional data a particular vendor may wish to record. In FIG. 1, the card 10 may have information printed or embossed, on its face in addition to the name of the card holder. For example, this information may include the address and possibly other information

such as the social security number and telephone number of the card holder. The same information can alternatively or additionally be provided in a memory chip embedded in the card 10. This information is available to all: the card holder herself, of course, as well as any vendor to whom the card is presented. Thus this information, without access to the additional information represented in FIG. 1, is sufficient for many purposes, such as awarding coupons to consumers who indicate certain preferences via interactive T.V.

FIG. 2 shows the smart card 10 interacting with a card reader/writer 14 (hereinafter referred to as a card reader for short). The card reader 14 is capable of reading not only the smart card 10, which is inserted into a slot 16, but also a conventional magnetic-stripe card 18, which is inserted into a slot 20. The card reader is capable of writing on a cooperating smart card to update various records thereon. In the case of a magnetic-stripe card, the updating of the records is done at a remote location, as explained below. As FIG. 2A shows, it is possible to combine the smart card 10 and magnetic-stripe card 18 into a single multi-application card 22 having a magnetic stripe 19 for reading by a card reader compatible with a magnetic-stripe card and solid-state circuitry 12 for reading by a card reader compatible with a smart card. FIG. 2B shows the reverse side of the card shown in FIG. 2A, including a signature space S. The card reader may combine both reading functions in a single unit, as illustrated in FIG. 2, or separate card readers may be provided, one for reading magnetic-stripe cards and another for reading smart cards. Other examples, which need not be illustrated in the drawing, include duty-free shops, cruise lines, traveller's checks, ticketing, T.V. cable/satellite box (interactive), health care, telephone, foreign currency applications,

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vending machines, keys, driver's license, insurance data, passport, voice, fingerprint, signature and supermarkets. Not only credit transactions but also debit transactions and non-financial transactions are within the scope of the invention. In any case, the card reader includes first data port means enabling the holder of the card to select a particular application such as American Express, Visa, etc. The first data port means includes for example a keypad 24 by which the holder of the card selects the desired application.

In accordance with the invention, at least three memory banks or storage areas are formed for storing and updating data relating respectively to at least one authorized holder of the card and at least two authorized applications of the card. If the card is a smart card, the memory is located at least in part on the card. On the other hand, if the card is a magnetic-stripe card, the memory is located at least in part remotely from the reader and connected thereto by a data link. In FIG. 2, the reader 14 is connected by a data link represented schematically at 26 to a remote location 28 including database processing apparatus 30. The processing apparatus 30 can include a mainframe computer and peripheral equipment for receiving and processing information not only from the reader 14 but from numerous similar readers at various locations. Routing authorizations are controlled by circuitry 32 that continuously "talks" to the database processing circuitry 30 (analogous to the cache storing an address within a computer network as recited in claim 6 of the instant application). These routing authorizations include financial/banking, airlines, hotels, oil companies, etc., as indicated schematically in FIG. 2 at 34, 36, 38 and 40 (here as elsewhere in this disclosure, the listing is

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intended to be merely illustrative or exemplary and by no means exhaustive). Updates of the information based on the transactions initiated at the reader 14 and similar readers are processed by circuitry 42 and fed back to the circuitry 30. Depending on the transaction, the smart card 10 employed to authorize the transaction can be updated as a result of the transaction. The steps disclosed above can easily be implemented by those skilled in the art upon consideration of this disclosure (see Figures 1-2, col 3 line 47 to col 5 line 11).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1-7, 14-17, 41-42, and 47-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (U.S. Patent No. 5,530,232) in view of Yokokawa (U.S. Patent No. 4,904,853).

Taylor teaches a multi-application data card. Taylor discloses that FIG. 1 shows a multi-application data card 10 conveniently formed of plastic and containing solid-state circuitry represented schematically at 12 and the name of the authorized card holder. The card 10 is a smart card, and the solid-state circuitry 12 includes a microprocessor (as recited in claims 55 and 60 of the instant application) and memory chips embedded within the card as recited in claim 59 of the instant application. The memory chips hold the equivalent of several typewritten pages of information. An example of some of the data recorded on the card is shown in FIG. 1. Thus a number of applications, including American Express, Visa, Master Charge, Discovery, various oil companies, various hotels, and various airlines, may be recorded together with a PIN (personal identification number), the account number, expiration date, account (or access or vendor) code, and various records for each of the separate accounts, plus miscellaneous data. The account, access or vendor code is a special code of each vendor which lets that vendor alone change data on the vendor's portion of the card. The records column includes, for example, frequency data, bonus point tie-ins with multiple vendors, etc. The miscellaneous column is for whatever additional data a particular vendor may wish to record. In FIG. 1, the card 10 may have information printed or embossed, on its face in addition to the name of the card holder. For example, this information may include the address and possibly other information such as the social security number and

telephone number of the card holder. The same information can alternatively or additionally be provided in a memory chip embedded in the card 10. This information is available to all: the card holder herself, of course, as well as any vendor to whom the card is presented. Thus this information, without access to the additional information represented in FIG. 1, is sufficient for many purposes, such as awarding coupons to consumers who indicate certain preferences via interactive T.V.

FIG. 2 shows the smart card 10 interacting with a card reader/writer 14 (hereinafter referred to as a card reader for short) as recited in claim 51 of the instant application. The card reader 14 is capable of reading not only the smart card 10, which is inserted into a slot 16, but also a conventional magnetic-stripe card 18, which is inserted into a slot 20. The card reader is capable of writing on a cooperating smart card to update various records thereon. In the case of a magnetic-stripe card, the updating of the records is done at a remote location, as explained below. As FIG. 2A shows, it is possible to combine the smart card 10 and magnetic-stripe card 18 into a single multi-application card 22 having a magnetic stripe 19 for reading by a card reader compatible with a magnetic-stripe card and solid-state circuitry 12 for reading by a card reader compatible with a smart card. FIG. 2B shows the reverse side of the card shown in FIG. 2A, including a signature space S. The card reader may combine both reading functions in a single unit, as illustrated in FIG. 2, or separate card readers may be provided, one for reading magnetic-stripe cards and another for reading smart cards. Other examples, which need not be illustrated in the drawing, include duty-free shops, cruise lines, traveller's checks, ticketing, T.V. cable/satellite box (interactive), health care, telephone,

foreign currency applications, vending machines, keys, driver's license, insurance data, passport, voice, fingerprint, signature and supermarkets. Not only credit transactions but also debit transactions and non-financial transactions are within the scope of the invention. In any case, the card reader includes first data port means enabling the holder of the card to select a particular application such as American Express, Visa, etc. The first data port means includes for example a keypad 24 by which the holder of the card selects the desired application.

In accordance with the invention, at least three memory banks or storage areas are formed for storing and updating data relating respectively to at least one authorized holder of the card and at least two authorized applications of the card. If the card is a smart card, the memory is located at least in part on the card. On the other hand, if the card is a magnetic-stripe card, the memory is located at least in part remotely from the reader and connected thereto by a data link. In FIG. 2, the reader 14 is connected by a data link represented schematically at 26 to a remote location 28 including database processing apparatus 30. The processing apparatus 30 can include a mainframe computer and peripheral equipment for receiving and processing information not only from the reader 14 but from numerous similar readers at various locations. Routing authorizations are controlled by circuitry 32 that continuously "talks" to the database processing circuitry 30 (analogous to the cache storing an address within a computer network as recited in claim 6 of the instant application). These routing authorizations include financial/banking, airlines, hotels, oil companies, etc., as indicated schematically in FIG. 2 at 34, 36, 38 and 40 (here as elsewhere in this disclosure, the listing is

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intended to be merely illustrative or exemplary and by no means exhaustive). Updates of the information based on the transactions initiated at the reader 14 and similar readers are processed by circuitry 42 and fed back to the circuitry 30. Depending on the transaction, the smart card 10 employed to authorize the transaction can be updated as a result of the transaction. The steps disclosed above can easily be implemented by those skilled in the art upon consideration of this disclosure (see Figures 1-2, col 3 line 47 to col 5 line 11). These steps are analogous to method as recited in claims 14-17 of the instant application.

Hence, Taylor teaches a smart card employable for communication to remote locations and useable for many different consumer purposes (i.e. electronic ticketing including venues, booking information, collecting cards etc. that has a substrate, an electronic memory, and multiple lines of indicium in the form of embossed characters and signatures.

Regarding claims 1, 41-42, 47-50, 52-54, 56-58, and 61 Taylor fails to specifically teach that there is displayable information regarding the information in the card.

Yokokawa teaches a dual-function information-carrying sheet device. Yokokawa discloses that FIG. 1 shows the dual-function information carrying sheet device is provided in the form of an IC card 20 comprising a thin plastic plate 22 which typically measures approximately 85.7 mm in width, 54.0 mm in height and 0.76 mm in thickness. As is customary in the art, the plastic plate 22 has a digital data storage area 24 which is shown defined by broken lines and a general indication area 25 which is

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shown defined by dots-and-dash lines. In the general indication area 25 may be indicated, typically in embossed pattern, the nature of the card, the card owner's name and identification or registration number, and the term of validity of the card, though not shown in the drawings. In the digital data storage area 24 is incorporated a digital data storage medium which is typically implemented by a semiconductor IC chip 26 as shown in FIG. 2. As will be described in more detail, the IC chip 26 has stored therein digital data including control data to be predominant over the operation of the digital data storage medium implemented by the IC chip 26 and information data representative of the descriptive and/or graphic information to be visually and/or audibly reproduced (see Figures 1-2, col 3, lines 16-42). The information read/write module 40 further comprises image reproduction means implemented by a slide projector section 76 which is used for the optical reproduction of the visual information recorded on the image-carrying slide 36 on the dual-function IC card 20 properly installed on the read/write module 40. The control circuit and slide projector sections 58 and 76 of the read/write module 40 thus constructed and arranged are powered from a power supply unit 78 through d.c. and a.c. power supply lines 80 and 82, respectively, as shown (see Figure 4, col 6, lines 18-28).

In view of the teaching of Yokokawa, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a smart card with graphical display means to display the information for the venue in question because this will give the consumer a more information efficiently in order to make a better decision and to keep the system running smoothly.

Regarding claims 2-5 and 7, Taylor teaches a multi-purpose card for use in many different consumer applications. Examples include ticketing, T.V. cable box, healthcare, telephone, vending machines etc. (see col 4, lines 26-42). The information as recited in claims 2-5 of the instant application (i.e. representation of plan, pre-paid tickets) is analogous to the information as disclosed by Taylor.

13. Claims 8, 13, 18-31, and 63-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (U.S. Patent No. 5,530,232) as modified by Yokokawa (U.S. Patent No. 4,904,853) and further in view of Wilder (U.S. Patent No. 5,408,417). The teachings of Taylor as modified by Yokokawa have been discussed above.

Taylor/Yokokawa teach In FIG. 2, the reader 14 is connected by a data link represented schematically at 26 to a remote location 28 including database processing apparatus 30. The processing apparatus 30 can include a mainframe computer and peripheral equipment for receiving and processing information not only from the reader 14 but from numerous similar readers at various locations (see Taylor, Figure 2, col 4, lines 58-64).

Regarding claims 8, 18-19, and 86 Taylor/Yokokawa fail to teach a display coupled to the reader to display information.

Wilder teaches an automated ticket sales and dispensing system. Wilder discloses that the ticket vending console or terminal 10 contains the components of the ticket sales and dispensing apparatus. A color, touch-sensitive video display screen 11 is visible on the housing (see Figure 1, col 4, lines 34-43).

In view of the teaching of Wilder, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a display in order for the customer to see what is being sold to them, and for them to have a better idea of the product for a more complete, user friendly system.

Regarding claim 13, Taylor teaches that FIG. 2 shows the smart card 10 interacting with a card reader/writer 14 (hereinafter referred to as a card reader for short). The card reader 14 is capable of reading not only the smart card 10, which is inserted into a slot 16, but also a conventional magnetic-stripe card 18, which is inserted into a slot 20. The card reader is capable of writing on a cooperating smart card to update various records thereon (see Figure 2, col 4, lines 14-22).

Regarding claims 20-22, 66-68, 74-76, and 82-84 Taylor/Yokokawa fail to teach alerts in the form of text, audio, and video messages.

Wilder teaches that the alarm board 25 in the console is connected to an alarm keypad 25A for inputting a security code and is connected to one or more sensors 25B at strategic locations on the console for sensing motion or unauthorized opening of the doors. The alarm board 25 is connected to the audio amplifier 26 which is connected to a loudspeaker 31 for sounding an audible alarm upon detection of motion by the sensors 25B. The audio amplifier 26 is provided with a volume control 32. An audio interface card 33 connected with the microcomputer I/O bus 34 of the microcomputer 30 (described hereinafter) is connected with the audio amplifier 26 and allows verbal messages in one or more languages in a digitally synthesized voice to be given along

with visually displayed messages. A video interface card 35 connected with the microcomputer I/O bus 34 is connected with VHS video cassette playback unit 27. A VGA video controller card 36 connected with the microcomputer I/O bus 34 is connected with the touch sensitive video display interface 28A. The microcomputer 30 includes a central processing unit (CPU) 37 and RAM memory connected to the I/O bus 34 and to the touch sensitive video display monitor 28 (see Figure 2, col 4 line 64 to col 5 line 18).

In view of the teaching of Wilder, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ different types of alerts (i.e. textual, audio, video) in order to alert customers of the situations. It is favorable to have different types in order to make sure all people, no matter what circumstance, are able to obtain appropriate information.

Regarding claims 23-30, Taylor teaches a multi-application data card. Taylor discloses that FIG. 1 shows a multi-application data card 10 conveniently formed of plastic and containing solid-state circuitry represented schematically at 12 and the name of the authorized card holder. The card 10 is a smart card, and the solid-state circuitry 12 includes a microprocessor and memory chips embedded within the card. The memory chips hold the equivalent of several typewritten pages of information. An example of some of the data recorded on the card is shown in FIG. 1. Thus a number of applications, including American Express, Visa, Master Charge, Discovery, various oil companies, various hotels, and various airlines, may be recorded together with a PIN (personal identification number), the account number, expiration date, account (or

access or vendor) code, and various records for each of the separate accounts, plus miscellaneous data (see Figure 1, col 3 lines 47-61).

Regarding claim 31, Taylor as modified by Yokokawa teaches that the information read/write module 40 further comprises image reproduction means implemented by a slide projector section 76 which is used for the optical reproduction of the visual information recorded on the image-carrying slide 36 on the dual-function IC card 20 properly installed on the read/write module 40. The control circuit and slide projector sections 58 and 76 of the read/write module 40 thus constructed and arranged are powered from a power supply unit 78 through d.c. and a.c. power supply lines 80 and 82, respectively, as shown (see Yokokawa, Figure 4, col 6, lines 18-28).

Regarding claims 63-65, 69-73, 77-81, 85, and 87 Taylor teaches that in accordance with the invention, at least three memory banks or storage areas are formed for storing and updating data relating respectively to at least one authorized holder of the card and at least two authorized applications of the card. If the card is a smart card, the memory is located at least in part on the card. On the other hand, if the card is a magnetic-stripe card, the memory is located at least in part remotely from the reader and connected thereto by a data link. In FIG. 2, the reader 14 is connected by a data link represented schematically at 26 to a remote location 28 including database processing apparatus 30. The processing apparatus 30 can include a mainframe computer and peripheral equipment for receiving and processing information not only from the reader 14 but from numerous similar readers at various locations. Routing authorizations are controlled by circuitry 32 that continuously "talks" to the database

processing circuitry 30 (analogous to the cache storing an address within a computer network as recited in claim 6 of the instant application). These routing authorizations include financial/banking, airlines, hotels, oil companies, etc., as indicated schematically in FIG. 2 at 34, 36, 38 and 40 (here as elsewhere in this disclosure, the listing is intended to be merely illustrative or exemplary and by no means exhaustive). Updates of the information based on the transactions initiated at the reader 14 and similar readers are processed by circuitry 42 and fed back to the circuitry 30. Depending on the transaction, the smart card 10 employed to authorize the transaction can be updated as a result of the transaction. The steps disclosed above can easily be implemented by those skilled in the art upon consideration of this disclosure (see Figures 1-2, col 4 line 47 to col 5 line 11).

14. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (U.S. Patent No. 5,530,232) as modified by Yokokawa (U.S. Patent No. 4,904,853) and Wilder (U.S. Patent No. 5,408,417) and further in view of Berson (U.S. Patent No. 5,932,870) and Funk (U.S. Patent No. 5,832,463). The teachings of Taylor as modified by Yokokawa and Wilder have been discussed above.

Regarding claims 9-10, Taylor/Yokokawa/Wilder fails to teach a printer means to print indicia and adhesives of the information.

Berson teaches documents that contain a magnetic strip with a bar code affixed thereto. Berson discloses that a one or two dimensional bar code is printed over a magnetic strip, which may contain information linked to the encoded bar code data and human readable text that appears on the document (see abstract).

In view of the teaching of Berson, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a printing means along with for the encoded information along with the computer so that the system is efficient and compact.

Regarding claims 11-12, Taylor/Yokokawa/Wilder fail to teach an image capturing means.

Funk teaches an automated system and method for checkless check transaction. Funk discloses that the automated improved check processing system and method includes a data entry device (200, 202) for receiving checking account information (304, 306, 308) and a check amount (302) of a check (210, 300) provided in a transaction. The transaction may take place at a bank teller window or a point-of-sale. The checking account information and check amount are electronically transmitted to the institution or servicer (208) drawn on for electronic presentment and posting to the proper checking account. Additionally, an image capturer (204) may be used at the time of the transaction to obtain a digitized image of the face of the check. The captured image may then be forwarded electronically to a database, which is readily accessible for research purposes (see abstract).

In view of the teaching of Funk, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ an imaging means in order to have a more accurate method of tracking the information. In addition, the image will help the customer in their decision for what to book.

15. Claims 32-35 and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (U.S. Patent No. 5,530,232) in view of Danielson et al. (U.S. Patent No. 5,468,947, from hereinafter "Danielson"). The teachings of Taylor have been discussed above.

Taylor fails to teach a reader device with a touch screen overlay to select different options.

Danielson teaches FIG. 1 is a perspective view illustrating a preferred terminal configuration 10 of a size to be held in the hand of the user. FIG. 1 illustrates the placing of an information card 11 into a receptacle 12 of the terminal. The card 11 may be a standard intelligent information card conforming with international standards such as the present ISO standard. Such a card may have the same length and width and thickness as a standard credit card now in use. By way of example, such a card may have an array of eight contact terminals at one side thereof providing for interface with other devices. Such a card may have an electrically erasable programmable read only memory of a sufficient capacity to record an individual's account number, personal identification number and other information which may be desired for reliably identifying the individual. Further, such a memory may have a capacity for receiving extensive additional information such as might be required in effecting betting on a number of horse races. By way of example, receptacle 12 may be provided with nub means 14 which is configured to cause the card 11 to flex at its edge 11 a as it is pivoted into receptacle 12. Thus the nub means 14 may be spaced above the floor of the receptacle 12 by a distance slightly greater than the thickness of the card. An opposite side edge

11b of card 11 may be inserted under similar nub means at the opposite side of receptacle 12 and the card 11 then pivoted downwardly until edge 11a of the card is snapped under nub means 14. The nub means at opposite sides of receptacle 12 which cooperate with card edges 11a and 11b hold the card 11 in receptacle 12, and spring urged contacts in the floor of receptacle 12 make pressure engagement with the array of eight contacts on the underside of the card, once the card has been inserted. Any suitable means may be employed to facilitate removal of a card from the receptacle 12. For example, a wall 15 of terminal 10 may be provided with a notch 16 enabling insertion of a fingernail or stylus under edge 11a of the card for prying the card upwardly and out of the recess. The standard card 11 is sufficiently flexible so that this is readily accomplished.

In the embodiment of FIG. 1, a touch screen 17 occupies the side of the terminal opposite receptacle 12 and has an area generally comparable to the area of the standard card. By way of example, the touch screen may utilize LCD (liquid crystal display) technology and may be capable of displaying a number of lines of characters, for example four lines relating to four bets and additional lines which may, for example, provide an integrated graphic display (e.g., a single line of Chinese characters). By way of example, associated with the touch screen at a surface 20 may be suitable indicia such as 21-24 for explaining the format of the display. In the specific illustration of FIG. 2, the characters "HV" may represent the initial letters of the name of a race track (e.g., Happy Valley), the next series of characters representing the data (e.g., year, month and day of month). Further characters on the display may relate to the day of the week,

the type of bet or the like. In the example of a transaction involving betting on a horse race, an exemplary keyboard display for touch screen 17 is indicated in FIG. 3. In an example, where several race tracks may be involved, the identities of respective race tracks may be displayed at locations such as 31 and 32 in FIG. 3. Each location may display indicia indicating the programmed significance of the location. Simply by way of example, a prompt message at lines 33 and 34 might instruct the user to select the race track where the race to be the subject of a wager is to take place. At the same time, indicia representing the two race tracks would appear at 31 and 32. The user would then press location 31 or 32 with his finger to indicate the identity of the race track. A similar procedure could be followed for identifying the day of the race, the number of the particular horse on which the bet is being placed, the amount of the wager, and so on (see Figure 1, col 5 line 12 to col 6 line 18).

In view of the teaching of Danielson, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a touch-screen overlay in order to be able to specifically select an option from the smart card because it is efficient (i.e. time-efficient and not error-prone) to be able to make a choice directly from the smart card.

16. Claims 43-46 and 88-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (U.S. Patent No. 5,530,232) in view of Yokokawa (U.S. Patent No. 4,904,853) and further in view of Shepherd (U.S. Patent No. 5,748,731). The teachings of Taylor and Yokokawa are discussed above.

Taylor/Yokokawa fails to teach a trading card system.

Shepherd teaches an electronic trading card system. Shepherd discloses that it is an object of this invention to provide electronic trading cards which are stored and retrieved using computer hardware and software. It is another object of this invention to provide a mechanism which allows electronic trading cards to be collected and traded in a fashion similar to conventional trading cards, but which has the advantages of an electronic format and computerized searching and organizing. According to the invention, a computer data storage device, such as a magnetic disk, optical disk, laser mini-disk, magnetic tape, or static memory module, includes a plurality of electronic trading cards stored as individual files on the computer storage device. These trading cards can feature information and/or graphics on any subject matter sought to be collected, such as, for example, baseball cards or other "character" or "idol" cards as discussed in detail above, or, alternatively, for example, stamps, coins, post cards, etc. Each of the individual files encoded on the computer data storage device will be randomly drawn from a large pool of electronic files maintained in a separate computer database controlled by the commercial supplier of the electronic trading cards. The number of individual files or "electronic trading cards" supplied on any one computer data storage device will depend on a variety of factors including the needs of the electronic trading card suppliers, the storage capacity of the computer data storage device, and the nature and amount of information stored in each file. To enhance collectability and/or tradeability, the number of individual files on any one computer data storage device purchased by a collector will be a very small fraction of the total pool of files contained in the computer database maintained by the supplier (e.g., less than 1%

and preferably less than 0.01%). In addition, the computer data storage device could also include one or more "special edition" electronic trading cards which would be electronic files that have a special feature different from other electronic trading cards. For example, the special feature may be an audio and/or video clip of a baseball player accomplishing a record, such as Cal Ripken, Jr. surpassing Lou Gehrig's consecutive games streak, or a player performing a specific act, such as a golden glove all star making a spectacular catch. These audio and video clips would be activated for playback by the collector on his or her computer equipment. Alternatively, the "special edition" card could be identical in all respects to other electronic trading cards, except that it is drawn from a separate pool of cards and/or is identified as a special edition cards. For example, a supplier of electronic trading cards may wish to release special edition trading cards of retired baseball legends, or release special edition trading cards of a select group of active baseball players that have certain fan appeal. In the preferred embodiment, a limited amount of edition trading cards (and preferably one) would be provided on the data storage device with the other electronic trading cards, and this special edition trading card would be drawn from a different pool from the pool used for the other electronic trading cards. However, the special edition trading cards would also preferably be identical to the other electronic trading cards with respect to their collectability and tradeability... The electronic binder and the computer format of the electronic trading card will provide a number of advantages to the collector. For example, since the cards are not "handled" except electronically, they will not deteriorate with time. In addition, the electronic format may allow for features which

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cannot be realized with ordinary cards such as computer animation of a ball player (e.g., an electronic trading card could be made which would allow one to view the swing of a power hitter in baseball or the unique pitching style and delivery of a pitcher in baseball). Also, the electronic binder will preferably be equipped with database features that allow sorting, categorizing and the like. Thus, a baseball collector, for example, could quickly obtain a subset of his or her collection which only features hitters that are hitting over 0.300, or a subset that includes members of only one baseball team, etc. (see col 2 line 60 to col 4 line 64).

In view of the teaching of Shepherd, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a trading card system because trading cards is a popular pastime and it would be favorable to update the system in order for it to be more enjoyable for its users.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent No. 6,019,284 to Freeman et al. which discloses a flexible chip card with display and U.S. Patent No. 6,422,462 to Cohen which discloses an apparatus and method for improved credit cards and credit card transactions.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lisa M. Caputo** whose telephone number is **(703) 308-8505**. The examiner can normally be reached between the hours of 8:30AM to 5:00PM Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.

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Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [lisa.caputo@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



LMC

August 11, 2002



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PRIMARY EXAMINER